

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 SAM-01 ACDA-19 NIC-01 SAJ-01 IO-14 DRC-01

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R 011601MAR 74

FM USMISSION BERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 3059

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L BERLIN 382

E.O. 11652: GDS

TAGS: PGOV, GW, WB, UR

SUBJECT: CONTINGENCY RESPONSE TO SOVIET PROTEST ON ELECTION
OF FEDERAL PRESIDENT

1. COMMENTS BY AMBASSADOR YEFREMOV IN HIS RECENT
CONVERSATIONS WITH AMBASSADORS HENDERSON AND HILLENBRAND
INDICATE THAT WE MAY EXPECT A SOVIET PROTEST
AGAINST PARTICIPATION BY WEST BERLINERS IN ELECTION OF
NEXT FEDERAL PRESIDENT BY BUNDESVERSAMMLUNG. EMBASSY
AND DEPARTMENT MAY WISH TO CONSIDER RAISING THIS POSSIBILITY
(PROBABILITY?) IN BONN GROUP WITH VIEW TOWARD PREPARING
CONTINGENCY RESPONSE THAT COULD BE MADE PROMPTLY REPEAT PROMPTLY
TO ANY SOVIET COMMUNICATION.

2. WE WOULD SUGGEST THAT SUCH RESPONSE CONTAIN FOLLOWING
POINTS:

A. RESIDENTS OF WESTERN SECTORS, INCLUDING
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REPRESENTATIVES OF WESTERN SECTORS TO BUNDESTAG, HAVE PARTICIPATED AND VOTED IN ELECTION OF EVERY FEDERAL PRESIDENT. THIS IS THUS AN ESTABLISHED ELEMENT OF TIES BETWEEN FEDERAL REPUBLIC AND WESTERN SECTORS.

B. QUADRIPARTITE AGREEMENT WAS NEGOTIATED IN FULL AWARENESS OF EXISTING SITUATION. ANNEX II PROVIDES THAT "... THE BUNDESVERSAMMLUNG ... WILL NOT PERFORM IN THE WESTERN SECTORS OF BERLIN CONSTITUTIONAL OR OFFICIAL ACTS WHICH CONTRADICT THE PROVISIONS OF PARAGRAPH 1." THIS IS ELABORATED UPON IN LETTER OF THREE AMBASSADORS TO FEDERAL CHANCELLOR ON INTERPRETATION OF ANNEX II AS FOLLOWS: "MEETINGS OF THE BUNDESVERSAMMLUNG WILL NOT TAKE PLACE ... IN THE WESTERN SECTORS OF BERLIN." THESE ARE THE ONLY RESTRICTIONS PERTAINING TO BUNDESVERSAMMLUNG.

C. RESIDENTS OF THE WESTERN SECTORS MAY THUS CONTINUE TO PARTICIPATE IN AND VOTE IN MEETINGS OF BUNDESVERSAMMLUNG HELD IN FEDERAL REPUBLIC CONSISTENT WITH PROVISION OF QUADRIPARTITE AGREEMENT THAT "THE TIES BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FEDERAL REPUBLIC TO GERMANY WILL BE MAINTAINED AND DEVELOPED, TAKING INTO ACCOUNT THAT THESE SECTORS CONTINUE NOT TO BE A CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND NOT TO BE GOVERNED BY IT." BORG

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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